

BOARD OF ADJUSTMENT
MINUTES of Meeting No. 244
Thursday, September 15, 1977
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Purser, Chairman Guerrero Jolly Smith	Blessing	Gardner Jones Dyer, Mrs.	Miller, Mrs., Building Insp. Office Benson, Harry Building Insp. Office Pauling, Legal Department

Chairman Purser called the meeting to order at 1:35 p.m. and declared a quorum present.

MINUTES:

On MOTION of JOLLY, the Board (4-0) approved the Minutes of August 4, 1977 (241) and August 18, 1977 (242).

UNFINISHED BUSINESS:

9659

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property for lodge purposes. (Odd Fellows Hall) in an RS-3 District located at 4020 South Cedar Avenue.

Presentation:

Lowell C. Wilson, Trustee for the Odd Fellow Lodge, Lot 5, Block 41 Red Fork Addition requested to locate a 40' x 80' building on the subject property to be used for lodge purposes. The application had been continued because the applicant did not advertise for the set-back variance. The applicant submitted a plot plan (Exhibit "A-1") showing the proposed layout. Mr. Wilson stated that he also had an application in with the Street Department of the City of Tulsa to close Patton Street to regular City traffic.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved the Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to use the property for lodge purposes (Odd Fellows Hall) per plot plan submitted, on the following described tract:

Lot 5, Block 41, Red Fork Addition to the City of Tulsa, Okla.

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) to locate a mobile home in an AG District; and a

Variance (Section 340 - Requirements for Special Exception Uses in the Agriculture District - Under the Provisions of Section 1670 - Variances) of the five-acre minimum for a mobile home in an AG District located on the southeast corner of 91st Street North and North Peoria Avenue.

Presentation:

Charles Hennessey, the applicant applied to locate a mobile home on a .72-acre tract advising that he operates a club nearby and wished to reside at the mobile home to protect his property against theft adding that he had a \$3,000,000 property loss. The applicant advised that the building which is being used as the club has been located there for approximately eighteen years and there are no employees of the club, and only he will be using the premises. Mr. Hennessey stated that he is in the process of buying the 2 1/2-acre tract that surrounds the subject property and plans to construct a motel there. The applicant stated that he had a travel trailer and a moving van in addition to the mobile home and was instructed by the Sheriff's Department to remove the vehicles and he has complied except for the mobile home he is requesting to maintain. The applicant stated that he was unaware of needing a permit because of the location of the subject property.

Mrs. Miller, Building Inspector's Office advised that the Building Inspector's Office had received a phone call and a letter of complaint of which she presented to the Board.

Mr. Pauling, Legal Department stated that there had been a letter submitted to the Board by the Building Inspector's Office that the applicant may not have been aware of and the applicant should be informed of the letter.

The applicant was given the letter of which he read aloud and the letter stated in part that a mobile home was believed to be moved to the subject location illegally and felt it was an operation of prostitution. Mr. Hennessey denied such operation.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved the Exception Section 310 - Principal Uses Permitted in the Agriculture District - Section 1209 - Mobile Homes) to locate a mobile home in an AG District; and a Variance (Section 340 - Requirements for Special Exception Uses in the Agriculture District - Under the Provisions of Section 1670 - Variances) of the five-acre minimum for a mobile home in an AG District for a period of one year on the following described tract:

Part of the NW/4, SW/4, of Section 19, Township 21 North, Range 13 East, Tulsa County, Oklahoma, described as beginning at the Northwest corner of Lot 3; thence South 150'; thence East 209.9'; thence North 150'; thence West 209.9' to the point of beginning.

9.15.77:244(2)

NEW APPLICATIONS:

9670

Action Requested:

Appeal (Section 1650 - Appeals From The Building Inspector - Appeal from a decision of the Building Inspector to immediately stop trucking from an AG District; and an

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 420 - Accessory Uses in Residential Districts) to park overnight on the property the trucks used by the tenants of the property in an RS-3 District located at 8200 South Union Ave.

Presentation:

Charles Sublett, attorney for the Tenants was not present. The Staff submitted a letter from Mr. Sublett (Exhibit "B-1") advising of another appointment of a prior obligation and requested a continuance to October 6, 1977.

Protests: None.

Board Action:

On MOTION of GUERRERO, the Board (4-0) continued application #9670 until October 6, 1977, 1:30 p.m., Langenheim Auditorium, City Hall Tulsa Civic Center.

9671

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) to locate a mobile home in an RS-3 District located at 12738 East Pine Place.

Presentation:

Elaine Casey, the applicant, was not present, but was represented by her father-in-law, Mr. Casey, who stated that she is requesting to locate a mobile home in back of her home which is on a two-acre tract. Mr. Casey stated that the applicant requested that the mobile home be located on the property in order that she can be living near someone, advising that her husband was killed in a car accident. He stated that the nearest home was approximately a block from the applicant's home. Upon questioning by the Board, there is a small barn on the back of the subject property.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (4-0) approved the Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) to locate a mobile home in an RS-3 District for a period of one year with removal bond required, on the following described tract:

The W/2, E/2, NW/4, NE/4, NE/4 of Section 32, Township 20 North, Range 14 East, Tulsa County, Oklahoma.

9.15.77:244(3)

Action Requested:

Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit the expansion of a nonconforming restaurant in an RS-3 District; and a

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the side yard requirements from 5' to 0' on the north in an RS-3 District located at 2786 North Peoria Avenue.

Presentation:

Joseph J. Reed, owner and operator of a bar-be-que restaurant at the subject location, has been established at that location for 31-years and applied for an extension of 13' on the north side of the building in order to locate restrooms near the front. He added that the addition would also aid in more room for dining and storage area. The applicant added that Lots 1, 2 and 3 are used for parking. Upon questioning, the applicant stated that to the south is a used car lot and to the north is a filling station. Mr. Reed submitted a letter of hardship (Exhibit "C-1") with an attached plot plan and stated that the restaurant at the subject location is not recognized by the plan, but the addition to the existing nonconforming use will not cause any harm to the surrounding area.

Mr. Gardner of the Staff, explained that the 13' extension is located next to the existing commercial zoning to the north with off-street parking to the south. The use is a nonconforming use and the Ordinance does not permit the expansion of a nonconforming use by exception. Therefore, the applicant is seeking a variance from the Board.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved the Variance (Section 410 - Principal Uses Permitted in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit the expansion of a nonconforming restaurant in an RS-3 District; and a

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the side yard requirements from 5' to 0' on the north, per plot plan submitted, on the following described tract:

Lots 1, 2 and 3, Block 1, Jack Hawkins Addition to the City of Tulsa, Oklahoma.

Action Requested:

Exception (Section 1680 (g) - Special Exceptions - Parking) to establish off-street parking in conjunction with a business on adjoining property in an RM-2 District located southwest of Victor Avenue and 1st Street.

Presentation:

Jim Caldwell, the applicant, with McDonald's of Dallas, Texas, advised that they plan to purchase the property at the subject location from Texaco, and applied for a variance to permit additional parking in a multifamily zoning district. Mr. Caldwell stated that the property 2 lots to the south is zoned CH commercial and immediately east is single-family residences. A two-story brick apartment house, with a 6' screening fence abuts the north boundary of the subject property. The applicant stated that the restaurant building is 44' x 66'. He added that the parking facilities will be used mainly for employees because they are farther from the restaurant. The applicant submitted a plot plan (Exhibit "D-1") showing the building located on the Utica property and parking lot on the subject property, advising that there has been no attempt to cut off access from the parking lot to Victor Avenue. Mr. Caldwell added that the parking area will be hard surfaced, landscaped, curbed and fenced.

Mr. Gardner of the Staff, stated that the Board would need to determine if the applicant needed the additional parking to meet the off-street parking under the Ordinance and the alley could provide access to the parking lot if the Board did not want any access to Victor Avenue.

Protest:

Mrs. Ernest Ray Becerra, 111 South Victor Avenue, resides across the street from the proposed parking lot and requested to know which building is to be removed for parking. She advised the Board of the duplexes and apartments in the area, but was not aware of any area that can be used for parking. She advised that she lived on Victor which is a dead-end street and feared the parking would all end on Victor in front of her residence, and she was opposing the parking lot.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved the Exception (Section 1680 (g) - Special Exceptions - Parking) to establish off-street parking in conjunction with business on adjoining property subject to the applicant initialing and dating the changed plan on no access to Victor Avenue from this parking facility and submit a copy of the plan for the file, on the following described tract:

Lot 2, Block 9, Gillette-Hall Addition to the City of Tulsa, Oklahoma.

JOLLY acted as Chairman as Chairman PURSER left the room at 2:15 p.m.

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (2) - Home Occupations) to operate a home beauty shop in an RS-1 District located at 12301 East 126th Place.

9.15.77:244(5)

Presentation:

Melfred Ferguson applied to locate a beauty shop at the subject location for his wife advising that the beauty shop will be built into the garage, no signs. He also advised the Board of a large driveway approximately 50' or 60' wide on a rectangular lot and stated that a maximum of two customers will be there at one time. Chairman Jolly questioned whether the applicant had received a copy of the home occupation requirements and again informed the applicant that he was not allowed to change the structure to look other than a single-family residence and no signs are allowed.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved the Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (2) - Home Occupations) to operate a home beauty shop, as presented on the following described tract:

Lot 4, Block 3, Willow Springs Estates Addition, Tulsa County, Oklahoma.

At this point of the meeting the Chairman took the Chair and continued at 2:18.

Action Requested:

Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) to locate a muffler shop in a CS District located at 2508 South Sheridan Road.

Presentation:

Don Laden, 2626 East 21st Street, representing Pronto Muffler who purchased the property at 25th Street and South Sheridan Road. The property is zoned CS and was previously owned by Texaco and operated as Jim's Service Station. The applicant is requesting to locate a new building of approximately 2,800 square feet to be used as a muffler shop. Mr. Laden advised that all activities will be conducted inside of the building, and there will be no outside storage and no nighttime activities. He submitted a plot plan (Exhibit "E-1") showing the proposed location of the new building and advised that he felt that a muffler shop is not incompatible with the present use. He also stated that there are other commercial uses in the District and advised that the noise should be no greater than that of a service station. Mr. Laden made mention of the curb cuts already in existence.

Mr. Gardner of the TMAPC Staff, stated that the Board should be concerned with any outside storage, where the trash receptacles are located and the noise. All activities should be within the building and the Board should also be concerned with the size of equipment.

Protests: None.

Board Action:

On MOTION of GUERRERO, the Board (4-0) approved the Exception (Section 710 - Principal Uses Permitted in Commercial Districts - Section 1217 - Automotive and Allied Activities) to locate a muffler shop in a CS District as presented per plot plan submitted, on the following described tract:

East 100' of Lot 1, Block 2, Bicking Terrace Addition to the City of Tulsa, Oklahoma.

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the side yard requirements from 5' to 6" in an RS-3 District located at 7427 East 74th Street.

Presentation:

Jim Edgar, attorney for Nelson Johnson, owner of the property applied for a variance of the side yard requirement from 5' to 6" advising that the applicant built a decorative rock fence around his property and on the west side the applicant made an addition of 9' to be used for storage area. Attorney Edgar stated that Mr. Nelson built the fence and when he later added the roof it became a building and was not aware that by adding a roof would violate the subject conditions. Attorney Edgar stated that the roof does not detract from the neighborhood and is a very desirable addition. He submitted photos (Exhibit "F-1") showing the proposed storage. Upon questioning by the Board, he stated that the roof does not have a controlled water run-off.

Nelson Johnson, property owner, stated that the builders built the addition earlier and he put the fence around it, and according to his plot plan his house set back 9' and he felt it was not necessary for a survey, but if necessary he will get one. Mr. Johnson submitted photos (Exhibit "F-2") stating that the residence to the west extends to within 3' of the property line. He stated that there was 6' for access of emergency vehicles in case of fire and he felt that the added storage would not contribute to fire. Upon questioning by the Board, Mr. Nelson stated that the overhang will be exactly on the property line.

Mr. Gardner of the TMAPC Staff, stated that the principle reason for the separation is for fire protection. The Board should be aware of whether the building extension has made it more dangerous.

Protests:

Raymond Yarroll, 7421 East 74th Street, stated that he resides next door to the subject location and felt that the extension was in violation of the Restrictive Covenants. He stated that the homes need to be at least 10' apart and this proposed addition detracted from the homes and he felt it would be harder to sell his home, and in case of fire it would be too dangerous for his home. Mr. Yarroll advised that he called a surveyor, the Arjay Company, to make a field inspection to see if they could locate the existing property pins on Lot 19, Block 10 of the Quail Creek Subdivision, and the northeast corner pins had been concreted in with the corner fence post and was 6" over the

9678 (continued)

line. He submitted to the Board the Survey (Exhibit "F-3") that was obtained from the survey Company stating that the stake showed the addition does cross the line. Mr. Yarroll also read a letter (Exhibit "F-4") from Mr. W. W. Thompson, 7409 East 74th Street, opposing the granting of a variance on the subject application.

Chris Williamson, 7415 East 74th Street, stated that he objected to the proposed addition because he felt it could lower the value of the homes and due to the closeness to the line, it could become a fire hazardous to his home. He stated that there were certain restrictions when they purchased their homes and they should remain.

Board Action:

On MOTION of JOLLY, the Board (4-0) denied the Variance (Section 430-Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the side yard requirements from 5' to 6" in an RS-3 District, advising that the applicant did not demonstrate a hardship involved with this land on the following described tract:

Lot 18, Block 10, Quail Creek Addition to the City of Tulsa, Oklahoma.

9679

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) - Mobile Homes) to maintain a mobile home in an RM-2 District, located at 6150 West 10th Street, (bond required).

Presentation:

Mary Rose Paul, 6150 West 10th Street, applied to retain a mobile home at the subject location for her son in order that he can care for the property and that he can be nearby.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved the Exception 410 - Principal Uses Permitted in Residential Districts - Section 440 (6) Mobile Homes) to maintain a mobile home in an RM-2 District for one year with removal bond required on the following described tract:

The South 70' of the West 136' of Lot 3; and the South 70' of the East 14' of Lot 4, Block 7, Lawnwood Addition to the City of Tulsa, Oklahoma.

9680

Action Requested:

Variance (Section 207 - Street Frontage Requirements - Under the Provisions of Section 1670 - Variances) to permit 10 lots with 0' frontage on a dedicated street; and a

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) to permit 10 lots with less than 60' frontage; and a

9.15.77:244(8)

9680 (continued)

Variance (Section 440 (3) (c) - Special Exception Uses in Residential Districts, Requirements - Under the Provisions of Section 1670 - Variances) to permit 10 duplex lots with less than 75' frontage; and an

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1207 - Duplex Dwelling) to erect 15 duplexes in an RS-3 District located southeast of 43rd Street and Detroit Avenue.

Presentation:

The Staff advised that the applicant requested a continuance of the subject application due to incorrect publication. The Staff also advised that the subject matter went before the Planning Commission for a lot-split and the T.A.C. required some changes.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (4-0) continued application #9680 until October 6, 1977, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

9682

Action Requested:

Variance (Section 1420 (a) - Nonconforming Use of Buildings or Buildings and Land in Combination - Under the Provisions of Section 1670 - Variances) to enlarge a nonconforming use by joining two buildings in an RS-1 District; and a

Variance (Section 410 - Principal Uses Permitted in Residential Districts - Section 1214 - Shopping Goods and Services - Under the Provisions of Section 1670 - Variances) to use property for antique sales and Sterling flatware located at 8312 East 11th Street.

Presentation:

Bob Saxby, 2205 East 55th Street, with Allied Construction representing the applicant, requested to expand a nonconforming antique shop in order to have more covered space. Mr. Saxby advised that the antique sales shop has been located there for fifteen years and all other areas along 11th Street are zoned commercial except two. He advised that there is a 40' distance between the two existing buildings. He stated that 1216 square feet is to be used for display. Mr. Saxby added that he was aware that no action can take place until the flood moratorium is lifted and submitted a letter (Exhibit "G-1") which he had written to Charles Hardt, of the Hydrology Department, requesting an exception to the flood plain moratorium. Mr. Saxby also submitted a plot plan (Exhibit "G-2") showing the proposed layout of the addition. Upon questioning by the Board, the representative had not received a copy of the principal use variance.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (4-0) continued application #9682 until October 20, 1977, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, in order that the applicant may have sufficient time to review the principal use variance requirements and have a report from the City Hydrology Department.

9.15.77:244(9)

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 420 - Accessory Uses in Residential Districts - Roomers and Boarders) to operate a boarding house in an RS-3 District located at 9038 East 40th Street.

Presentation:

Mrs. Dora K. McDaniel, Real Estate Broker advised that her sister Mrs. Josephine Chastian wished to operate a boarding home for the Christian Scientist and she feels that she found the ideal place advising that there is 6,000 square feet of space, with 15" stone walls, and a fireproof roof, with 40' on the west side to the property line, and 60' on the east side. The home is spanish style with a 65' setback from the street. Mrs. McDaniel stated that her sister was indeed wealthy and was not proposing the operation of the home for financial reasons, only for helping others.

Mrs. Josephine Chastian applied to locate a Christian Scientist establishment for a boarding home and stated that she requested to donate a portion of the property for the Christian Scientist establishment, advising that this was the request of her late husband and she wished to carry out his plans. She advised that the home is not for profit but to help others and is operated through prayer. She informed the Board of other homes around the City but felt that one should be located nearby. Mrs. Chastian advised that the existing structure has a large junior room, four bedrooms, large dining room, and kitchen and would accommodate from four to not more than five persons at one time. Mrs. Chastian stated that there would be nursing care for the occupants and said there would be no noise or drinking because the Christian Scientist Homes are done through prayer and added that there is 13 acres of land and ample parking for approximately 13 cars. Mrs. Chastian submitted the dimensions (Exhibit "H-1") of the proposed site and advising that the charges will be kept at a minimum. The home has a split roof which is inflammable but she would install a sprinkler system if necessary. Mrs. Chastian felt the operation is really not a boarding home but a home to help others and advised that if there were any objections to her locating the proposed development, she will not establish the home because she does not want to offend anyone even though she was advised by her attorney that if there were objections and the development be denied, she could go through a legal matter. In her closing statements she added that if the chosen site is not the place for her proposed development, that God will provide a place for this development.

Protests:

E. C. Summers, 3922 South 90th East Avenue, presented a petition (Exhibit "H-2") with 129 signatures protesting the proposed development and stating that the neighbors met and reviewed the proposed development with Mrs. Chastian and they object to her locating the establishment in the proposed neighborhood.

Betty G. Nelson, 9024 East 40th Place, stated that it is a very small subdivision, one entrance and one exit. She added that the neighborhood was concerned because they now know each other and would not if this type of establishment is approved which would create all kinds of

visitors. Mrs. Nelson added that she felt the sale of homes would be hindered and she protests any use other than a single-family residence.

Mary Stoval, 9022 East 40th Street, felt that this establishment would be a threat to the children's safety. She added that the traffic is now at a minimum and the safety of the children would be hampered because of a rooming house. She expressed feeling that with the personnel and visitors that would be coming and going would also be a danger to the children. She stated that cars parked on the street will create hazardous conditions for the children and is also an eyesore to the neighborhood. Mrs. Stovall felt the development will increase the traffic, she also felt it was a quiet neighborhood and a boarding home if allowed, would create problems.

John Fillack, 4021 South 92nd East Avenue, stated that the area is restricted to single-family neighborhood and the subject project should not be in the heart of a single-family neighborhood.

Donald Wartken, 4030 South 92nd East Avenue, stated he wanted to appear before the Board and protest in person.

Ronald Martin, requested to be added to the protest petition.

Board Action:

On MOTION of JOLLY, the Board (4-0) denied the Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 420 - Accessory Uses in Residential Districts - Roomers and Boarders) to operate a boarding house in an RS-3 District on the following described tract:

Lot 3, Block 2, Imperial Estates Addition to the City of Tulsa, Oklahoma.

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the side yard requirements from 5' to 0' to permit an addition to the existing garage in an RS-3 District located at 528 South Oswego Avenue.

Presentation:

Clarence Evans, 528 South Oswego Avenue requested an expansion of his existing garage to accommodate another car. The expansion will align with the present garage which has been in existence for 17 or 18 years. He added that at present, there is no method of entering his garage without trespassing onto his neighbor's property and this extension would also be for the protection of his wife's safety and from the weather. Mr. Evans stated that he prefers to use the same type of building materials and the building will be 12' from his neighbor's home. The opening between the building will be 12'. Mr. Evans had previously submitted the plot plan (Exhibit "I-1"). He also submitted a letter (Exhibit "I-2") from the property owner residing at 524 South Oswego stating that he had no objections to the variance.

Protests: None.

9686 (continued)

Board Action:

On MOTION of SMITH, the Board (4-0) approved the Variance (Section 430-Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1670 - Variances) of the side yard requirements from 5' to 0' to permit an addition to the existing garage, per plot plan submitted, on the following described tract:

Lot 3, Block 2, Turner Park Addition to the City of Tulsa, Okla.

9687

Action Requested:

Variance (Section 330 - Bulk and Area Requirements in Agriculture Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage and area requirements in an AG District to permit a lot-split located at 11000 South 33rd West Avenue.

Presentation:

The Staff advised that the Planning Commission approved the lot-split subject to the approval of the Board. The applicant advised that the lot-split did not involve a change in use.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved the Variance (Section 330 - Bulk and Area Requirements in the Agriculture Districts - Under the Provisions of Section 1630 - Minor Variances) of the frontage and area requirements in an AG District to permit a lot-split (L-14122) on the following described tract:

A tract in the SW/4 of Section 27, Township 18 North, Range 12 East, more particularly described as beginning at a point 776.5' South 89°-52' East and 48.9' North 0°-16' West from the SW corner of said Section 27; thence North 88°-13' West 355.64'; thence North 4°-14' East 81.91'; thence North 54°-14' East 100'; thence North 0°-46' West 100'; thence North 60°-46' West 100'; thence North 35°-46' West 94'; thence North 86°-24'-51" East 410.75'; thence South 0°-16' East 402' to the point of beginning, containing 2.93 acres, Tulsa County, Oklahoma.

9692

Action Requested:

Variance (Section 280 - Structure Setback from Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements from 60' to 50' from the centerline of 21st Street; and from 50' to 40' from the centerline of Harvard to permit the erection of a sign in a CS District located on the NE corner of 21st Street and Harvard Avenue.

Presentation:

The applicant was not present. The Staff advised that the Board had previously granted a variance to permit the erection of a restaurant 70' from the centerline of Harvard Avenue.

Protests: None.

9692 (continued)

Board Action:

On MOTION of JOLLY, the Board (4-0) approved the Variance (Section 280 - Structure Setback from Abutting Streets - Under the Provisions of Section 1630 - Minor Variances) of the setback requirements from 60' to 50' from the centerline of 21st Street; and from 50' to 40' from the centerline of Harvard to permit the erection of a sign subject to a removal contract on the following described tract:

A part of Lots 7, 8, and 9, in Block I, Sunrise Terrace 3rd Addition, an Addition to the City of Tulsa, Tulsa County, Oklahoma; less dedicated right-of-way and including a portion of vacated street right-of-way at intersection 21st and Harvard Avenue.

9693

Action Requested:

Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the side yard requirements, per plot plan, in an RS-3 District located at 5852 South 67th East Avenue.

Presentation:

Wallace Hall, the applicant, was not present but had previously submitted a plot plan (Exhibit "J-1"). The Staff advised that the house is already built and the owners are proposing to sell it, which is on an odd-shaped lot and was built 5' over the side yard setback.

Protests: None.

Board Action:

On MOTION of JOLLY, the Board (4-0) approved the Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1630 - Minor Variances) of the side yard requirements, per plot plan submitted, on the following described tract:

Lot 4, Block 24, Woodland View Third Addition to the City of Tulsa, Oklahoma.

There being no further business the Chairman declared the meeting adjourned at 3:40 p.m.

Date Approved

October 20, 1977

Patty Purser
Chairman